

United States Bankruptcy Court
District of New Mexico

Van Winkle,
Plaintiff
Bellevue Valley Land Co.,
Defendant

Adv. Proc. No. 20-01022-t

District/off: 1084-1
Date Rcvd: Mar 05, 2021

User: admin
Form ID: pdfor1

Page 1 of 1
Total Noticed: 1

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2021:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	Email/Text: USTPREGION20.OC.ECF@USDOJ.GOV	Mar 06 2021 01:55:00	United States Trustee, PO Box 608, Albuquerque, NM 87103-0608

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 07, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 5, 2021 at the address(es) listed below:

Name	Email Address
Joel Alan Gaffney	on behalf of Plaintiff Tammy Sprague joel@gaffneylaw.com 5519@notices.nextchapterbk.com;paul@gaffneylaw.com
Joel Alan Gaffney	on behalf of Plaintiff Brian Van Winkle joel@gaffneylaw.com 5519@notices.nextchapterbk.com;paul@gaffneylaw.com
W. T. Martin Jr.	on behalf of Defendant Ellen B. Williams martinlaw@zianet.com cgalloway@lawmdm.com
W. T. Martin Jr.	on behalf of Defendant John H. Williams martinlaw@zianet.com cgalloway@lawmdm.com
W. T. Martin Jr.	on behalf of Defendant Bellevue Valley Land Co. martinlaw@zianet.com cgalloway@lawmdm.com

TOTAL: 5

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re:

FRED DALE VAN WINKLE,

No. 13-11743 t7

Debtor.

BRIAN VAN WINKLE and
TAMMY SPRAGUE,
Co-personal representatives,

Plaintiffs,

v.

Adv. No. 20-1022 t

BELLEVIEW VALLEY LAND CO.,
JOHN H. WILLIAMS, and
ELLEN B. WILLIAMS,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND
SETTING RULE 56(f) DEADLINES**

Before the Court is Defendants' Motion for Summary Judgment, filed October 29, 2020, doc. 14. For the reasons given in the opinion entered herewith, the Court finds that the motion is not well taken and should be denied.

IT IS THEREFORE ORDERED that the motion is denied.

IT IS FURTHER ORDERED that, pursuant to Fed. R. Civ. Pro. 56(f) and Fed. R. Bankr. Pro. 7056, Defendants are given notice that the Court is considering granting summary judgment in Plaintiffs' favor on the issue of whether Defendants violated the discharge injunction. Defendants will have 30 days from the date hereof to respond. Plaintiffs will have 14 days from the date the response is filed to file a reply.



Hon. David T. Thuma
United States Bankruptcy Court

Entered: March 5, 2021
Copies to: Counsel of record